

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

PS — Sri G. Srinivasa Rao, Deputy Secretary to Govt (Retired) - Disciplinary proceedings initiated for the irregularities committed while working as Assistant Section Officer, Labour, Employment, Nutrition and Technical Education Department - Orders of Hon'ble Tribunal Dt:30.04.2009 in O.A.No.4211/2007 with MA No.1669/2009 - Further action dropped – Regularisation of suspension period from 03.02.1987 to 20.03.1992 – Orders – Issued.

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GENERAL ADMINISTRATION (SC.B) DEPARTMENT

G.O.RT.No. 2809

Dated:06.08.2014.

Read the following:-

1. G.O.Rt.No.30, LEN&TE (OP) Department, dt:22.02.1988.
2. G.O.Ms.No.59, W.D.C.W. & L (OP) Department, Dt:01.06.1990.
3. G.O.Ms.No.54, W.D.C.W. & L (OP) Department, Dt:18.03.1992.
4. Orders Dt:25.02.2004 of the Hon'ble IX Metropolitan Magistrate, Nampally, Hyderabad in C.C. No.3 of 1995.
5. Orders Dt:03.05.2005 in Criminal Appeal No.73/2004 of the Special Judge for Economic Offences-cum- VIII Additional Metropolitan Sessions Judge, Hyderabad.
6. G.O.Rt.No.4227, General Administration (SC.D) Department, Dated:21.7.2007.
7. G.O.Rt.No.6459, General Administration (SC.D) Department, Dated:22.10.2007.
8. From the Hon'ble High Court of A.P., orders Dt: 17.01.2008 in Criminal Appeal (SR) No.18105 of 2007 with Crl.A.M.P. No.1627 of 2007.
9. From the Hon'ble Andhra Pradesh Administrative Tribunal, Hyderabad orders, dt.30.04.2009 in O.A.No.4211/2007 with MA No.1669/2009.
10. G.O.Rt.No.712, General Administration (SC.D) Department, Dt:12.02.2013.
11. From the Labour, Employment Training & Factories (OP) Department U.O.Note No.2262/OP/A1/2013-1, Dt:09.04.2013 along with the representation of Sri G. Srinivasa Rao, Deputy Secretary to Govt (Retd.), Dt:20.02.2013.

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ORDER:

On the allegations of preparation of fake G.O's by forging the signatures of the officers etc., Sri G.Srinivasa Rao, former Assistant Section Officer, Labour – I Section, Labour, Employment, Nutrition and Technical Education Department was kept under suspension with effect from 03.02.1987, pending enquiry; and, later on he was dismissed from service with effect from 22.02.1988, vide G.O.1st read above. The said dismissal orders were set aside by the Hon'ble Andhra Pradesh Administrative Tribunal in R.P.No.1368/88 by directing the Government to conduct a denova enquiry in accordance with the rules by placing him under suspension till the enquiry is over. Accordingly, orders were issued in the reference 2nd read above that the Officer shall be deemed to have been placed under suspension from 22.02.1988 and shall continue to remain under suspension until further orders. Later on, keeping in view of the orders of the Hon'ble Andhra Pradesh Administrative Tribunal, Dt:12.12.1991, the individual was reinstated into service, vide the reference 3rd cited read above.

(P.T.O.)

2. A case was registered in Cr.No.20/87 U/s 68,471,420 r/w 120-B IPC of CID, P.S., Hyderabad and charge sheet filed on 22.05.1994 against the above accused. The Hon'ble IX Metropolitan Magistrate, Nampally, Hyderabad in its judgment, Dated: 25.02.2004 in C.C.No.3 of 1995, has convicted the Accused Officer along with (3) others and sentenced for Rigours Imprisonment. Aggrieved by the Lower Court orders, the Accused Officer along with (2) others have preferred an appeal in C.A. No.73/2004 before the Special Judge for Economic Offences-cum- VIII Addl. Metropolitan Sessions Judge, Hyderabad; and, the Hon'ble Special Judge, in judgment dt.03.05.2005 in reference 4th read above, has allowed the appeal and set aside the conviction and sentence imposed on the Accused Officer by the Lower Court in the reference 3rd read above. After examination of the matter, Government filed a Criminal Appeal (SR) Number 18105 of 2007 before the Hon'ble High Court of A.P., against the judgment in the reference 4th read above.

3. Departmental proceedings were initiated against Accused Officer, vide reference 6th read above. Aggrieved, the Charged Officer filed O.A. No.4211/2007 before the Hon'ble Andhra Pradesh Administrative Tribunal. The charged Officer submitted his written statement of defence. After examination of the Written Statement of Defence of the Charged Officer, the matter was referred to the Commissioner of Inquiries vide reference 7th read above. The Hon'ble Andhra Pradesh Administrative Tribunal in its order, dt.30.04.2009 in the reference 9th read above has set aside the disciplinary proceedings initiated in the reference 6th read above with a direction to release the pension and other pensionary benefits to the applicant, since he was retired. In the meantime, The Hon'ble High Court of A.P., in its orders, Dt:17.01.2008 in the reference 8th read above rejected the Criminal Appeal (SR) No.18105 of 2007 with CrI.A.M.P. No.1627 of 2007 filed by the Government against the judgment, dt.03.5.2005 of the Special Judge for Economic Offences-cum- VIII Addl. Metropolitan Sessions Judge. Government, after careful examination of the matter in consultation with the advisory Departments and keeping in view of orders of Hon'ble Andhra Pradesh Administrative Tribunal, and the A.P.High Court, dropped further action against Sri G.Srinivasa Rao, Deputy Secretary to Government (Retired), Agriculture & Cooperation Department for the irregularities committed while working as Assistant Section Officer, Labour, Employment, Nutrition and Technical Education Department, vide G.O. reference 10th read above.

4. Sri G.Srinivasa Rao, Deputy Secretary to Government (Retired) in his representation in the reference 11th read above inter-alia stating that vide G.O.Rt.No.712, Dt:12.02.2013 Government issued orders dropping the disciplinary proceedings initiated against him and hence he is entitled for the regularisation of his suspension period from 03.02.1987 to 20.03.1992 as on duty as per FR 54 (B); and, requested to regularise the suspension period from 03.02.1987 to 20.03.1992 as on duty as per FR 54 (B) duly releasing increments.

5. Government, after careful examination of the matter in consultation with the advisory departments, have decided to treat the suspension period of Sri G. Srinivasa Rao, formally Assistant Section Officer, Labour, Employment, Nutrition and Technical Education Department and presently Deputy Secretary (Retired) from 03.02.1987 to 20.03.1992 as "on duty " as per FR 54 (B) (3) & (4). Accordingly, Government hereby order to regularise the suspension period from 03.02.1987 to 20.03.1992 in respect of Sri G. Srinivasa Rao, formally Assistant Section Officer, Labour, Employment, Nutrition and Technical Education Department and presently Deputy Secretary (Retired) as "on duty " as per FR 54 (B) (3) & (4).

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6. The Agriculture & Cooperation (OP) Department shall take necessary further action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

I.Y.R. KRISHNA RAO
CHIEF SECRETARY TO GOVERNMENT

To

Sri G. Srinivasa Rao, Deputy Secretary to Government (Retired) through the
Agriculture & Cooperation (OP) Department.

The Agriculture & Cooperation (OP) Department.

The Pay and Accounts Officer, A.P., Hyderabad.

Copy to:

The Accountant General, A.P., Hyderabad.

The Labour, Employment, Training and Factories (Vig) Department.

The Labour, Employment, Training and Factories (OP) Department.

The Department of Women, Child, Disabled & Senior Citizens (OP)
Department.

The General Administration (SC.F) Department.

SC/SFs.

// FORWARDED :: BY ORDER //

SECTION OFFICER (SC)